

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

LAWANNA BRADFORD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	PLAINTIFF’S VERIFIED
	)	COMPLAINT AND
ZAKHEIM & ASSOCIATES, P.A.,	)	DEMAND FOR JURY
	)	TRIAL
Defendant.	)	

LAWANNA BRADFORD (“Plaintiff”), through her attorneys, KROHN & MOSS, LTD., alleges the following against ZAKHEIM & ASSOCIATES, P.A., (“Defendant”):

**INTRODUCTION**

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
4. Because Defendant conducts business in the state of Georgia, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

## **PARTIES**

6. Plaintiff is a natural person residing in Decatur, DeKalb County, Georgia.
7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national company located in Plantation, Broward County, Florida.
10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

## **FACTUAL ALLEGATIONS**

11. Upon information and belief, Defendant is collecting from Plaintiff on an alleged debt.
12. On April 15, 2011, Plaintiff sent to Defendant, via facsimile, a “cease and desist” letter disputing the amount and requesting validation of the alleged debt. The letter also requested that all future contact with Plaintiff be by mail and in writing only, and that no phone calls are to be placed by Defendant to Plaintiff. (*See* Exhibit “A” hereto).
13. Despite the letter’s explicit requests, Defendant continued to call Plaintiff.
14. On April 16, 2011, Plaintiff received a call from Defendant from phone number 800-531-5490 and a Scott Jones (“Jones”) recorded a voice message requesting that Plaintiff call him back.
15. On April 25, 2011 Plaintiff again received a call from Defendant and Jones again recorded himself requesting a call back.
16. On April 27, 2011, Plaintiff sent to Defendant, via facsimile and also USPS Certified Mail, a second “cease and desist” letter disputing and requesting validation of the alleged

debt. The letter also requested that all future contact with Plaintiff be by mail and in writing only, and that no phone calls are to be placed by Defendant to Plaintiff. (*See* Exhibit “B” hereto).

17. Despite Plaintiff’s repeated requests, Defendant continues to call Plaintiff from 954-735-4455, 800-531-5490, and other numbers.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Defendant violated the FDCPA based on the following:

- a) Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to annoy, harass and oppress Plaintiff.
- b) Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with the intent to annoy, abuse, or harass any person called at that number;
- c) Defendant violated §1692c(c) by failing to cease communication with the consumer, after the consumer has notified the debt collector in writing that the consumer wishes to so cease communication.

WHEREFORE, Plaintiff, LAWANNA BRADFORD, respectfully requests judgment be entered against Defendant, ZAKHEIM & ASSOCIATES, P.A, for the following:

- 19. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
- 20. Costs and reasonable attorneys’ fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k
- 21. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

DATED: May 13, 2011

By: /s/ Shireen Hormozdi  
Shireen Hormozdi  
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**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, LAWANNA BRADFORD, demands a jury trial  
in this case.

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

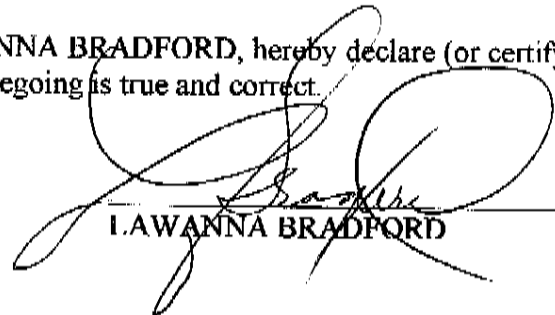
STATE OF GEORGIA

Plaintiff, LAWANNA BRADFORD, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, LAWANNA BRADFORD, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

5-10-11  
Date

  
LAWANNA BRADFORD